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Reconstruction during the Civil War in the United States of America. By EBEN GREENOUGH SCOTT. (Boston and New York: Houghton, Mifflin and Co. 1895. Pp. x, 432.)

RECONSTRUCTION, as a term in United States history, is usually thought of as applicable to the period following that of the Civil War. The title of Mr. Scott's work, therefore, is at first a little confusing; but the justification for its form is found in the fact that the volume treats of those earlier ideas of reconstruction that were developed in theory and in practice before the definite termination of military operations. It would be a great comfort to be able to state that the author's fidelity to his title had limited him to this particular work. The time may come when a history of our great catastrophe will not be regarded as necessitating an account of indefinite centuries before it occurred. While all will concede that the roots of the present lie deep in the past, the reflecting public sooner or later becomes weary of inspecting the roots, and craves a mere view of what to the modern eye is above ground. But Mr. Scott adopts the time-honored method of approaching his subject. After an introductory chapter on some incidents of the formal secession, he drops back to "the great Anglican Revolution," and discourses on Magna Charta, Simon de Montfort, Aristotle's idea of a *πολιτεία*, and a miscellaneous assortment of historical, social, and political conceptions. It must be put to his credit, however, that he has nothing to say of the Anglo-Saxons, the *tûngemôt* or the "forests of Schleswig-Holstein."

The chapters of the work from the third to the eleventh—over half the book—are occupied with a rambling review of our constitutional and political history from the Stamp Act to the Missouri Compromise. Nothing pertinent to the subject seems to have happened between the latter incident and Lincoln's inauguration; for the discussion passes abruptly from the first to the second of these topics. The whole effect of these preliminary chapters is to indicate the author's attitude as that of an extreme strict constructionist in his view of the constitution, and a strong believer in the rights and "separateness" of the states. And it is from this standpoint that he reviews the questions concerning reconstruction that arose during the war, and the practical operation of the plan which President Lincoln announced in the Amnesty Proclamation of December 8, 1863. Chapters thirteen to nineteen are devoted to a review of legislative and executive proceedings in connection with this plan, down to the rejection of the electoral votes of the Southern states in 1865. This review is not in narrative form, and can hardly be called history. It is rather a commentary on the politics of the time, as illustrated by the reports of debates in Congress, and it reflects at every point the author's conviction that, with the exception of some of the Democratic minority, no one in Congress had any knowledge of, or regard for, the Constitution.

There is no great value, at the present time, in a work like that before us. The real need is that of a clear-cut, unbiassed narrative of the facts

of reconstruction history. Of mere commentary on the constitutional law of the case, there is extant enough and to spare. Mr. Scott announces that the present volume is preliminary to a "political history of the period of reconstruction," and is designed to set forth "certain things necessary to be known before taking up the subject." It is doubtful if the careful reader will lay down the present work with the most perfect confidence in the author's competence as a propounder of "certain things," whether necessary or unnecessary. He is too much of a philosopher to be sure of his facts. He bases a beautiful distinction in the uses of the term "government" on the hitherto undiscovered truth that "in Great Britain all statutory enactments have their inception in the cabinet. Parliament acts only upon that which is laid before it by the ministers" (p. 29). From a footnote on page 47 it appears that at the outset of the Revolution the Colonial governor of Massachusetts was elected by the people! Mr. Scott finds some philosophical significance in the fact that Englishmen have been most active in the discussion of political theory "during seasons of internal tranquillity, when there has been no exciting cause to provoke" such discussion (p. 129). One recalls instantly the "internal tranquillity" that produced the works of Milton, Hobbes, Filmer, Locke, and Burke.

The general ideas of Mr. Scott on the formation and early development of the constitution are merely expressive of his point of view as described above. For Alexander Hamilton he has a Jeffersonian antipathy. Hamilton, he assures us, forced upon the Americans "the worst form of social constitution known to men, plutocracy," the evils of which are only kept from overwhelming us to-day by "the mutterings of revolution" (p. 187).

This view of our history in one of its aspects is a trifle pessimistic, perhaps; but it is intelligible. The same cannot be said of Mr. Scott's account of the sectionalizing of the Union. This process, it appears, was promoted by the North through a departure from its original views of the constitution. New doctrines were crystallized into a platform, and thereupon "the attitude of the North became more and more determined, and she opposed through the Whig party any pretensions made by the South through the Democratic party. . . . At length, throwing aside conciliation, she took a positive stand, and avowed her determination not to permit further territorial extension of slavery. This lent her the appearance of aggression, and the occasion of it was the application of the Territory of Missouri to be admitted into the Union" (pp. 215, 216).

Thus it appears that the Missouri struggle was only the climax of a long conflict between Whigs and Democrats on sectional issues. This is astonishing "history."

In the latter part of his work the author's "facts" are less open to the charge of originality. He outlines the congressional debates on the status of the insurrectionary states in a spirit of intense hostility to the views of the Radicals, and particularly of Thaddeus Stevens. His grasp on the general movement of political thought is fairly sure, but his judgments on

the men and the issues of the time are those of an old-school constitutional lawyer rather than those of an historian of any school.

WM. A. DUNNING.

The *Annual Report of the American Historical Association for the Year 1894*, just issued (Washington, Government Printing Office, 1895, pp. 602), shows a distinct advance upon its predecessors. Volumes made up of such brief papers as can be read orally in twenty minutes at the meetings of the Association, are of but limited utility to the profession or to the world. The Council are wise in departing more and more from this form of publication, and publishing the results of researches at sufficient length to show their value. Instead of a juiceless abstract, forced to wear the guise of unsupported assertion, the writer is "given leave to print" what will afford support to his conclusions and genuine instruction to his readers. Five highly important monographs of this sort mark the present volume. Professor John S. Bassett deals with the Regulators of North Carolina, subjecting their history to a fresh examination in the light of the new matter brought forward in the *Colonial Records* of that state. If any one, by the way, cherishes a doubt as to the fruitfulness of large expenditure in documentary publication, let him observe the remarkable growth of excellent historical literature which has, in North Carolina, followed immediately upon the publication of that great series. The other four monographs, to which especial attention should be directed, are those of Professor Henry E. Bourne, on the Organization of the First Committee of Public Safety; by Mr. Harold D. Hazeltine, on Appeals from Colonial Courts to the King in Council, with special reference to Rhode Island; by Professor Samuel B. Harding, on Party Struggles over the Pennsylvania Constitution (1776-1790); and by Professor A. C. McLaughlin, on The Western Posts and the British Debts. Each of these is an important contribution to our knowledge, and is adequately fortified with documentary and other references. Among the other contents of the volume, especial interest attaches to the thoughtful, though far from cheerful, forecast of the development of the science of history, by the president of the Association, Mr. Henry Adams; to Mrs. Harby's paper on the Tejas; to that of Dr. W. B. Scaife on the Jury System on the Continent; to that of Mr. Andrew H. Allen, *pro domo sua*, on the Historical Archives of the Department of State; and to that of Professor Bernard Moses on the Casa de Contratacion at Seville. Mr. W. E. Curtis prints translations of the twenty-nine holograph letters and documents of Columbus, and Mr. E. L. Whitney a bibliography of the colonial history of South Carolina, which, though extensive and careful, appears not to contain Mr. Sainsbury's *Calendar of the Shaftesbury Papers*, nor Sophia Hume's *Epistle* and *Exhortation*.

The Government Printing Office is far from infallible in proof-reading: e.g. Granada for Grenada, on page 275; Wedderbourne, on page 277; F. L. Hawkes, on page 141; Earl of Bellmont, on page 323; Mrs. Madona